



STATE OF WISCONSIN

Assembly Journal

April 1998 Special Session

9:43 A.M.

THURSDAY, May 14, 1998

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Wood.

Representative Baumgart led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Cogs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Stone, Sykora, Travis, Turner, Underheim, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, Ziegelbauer, Zukowski and Speaker Jensen – 94.

Absent with leave – Representatives Reynolds, Urban and R. Young – 3.

Vacancies – 48th and 84th Assembly Districts – 2.

LEAVES OF ABSENCE

Representative Green asked unanimous consent for a leave of absence for today's session for Representative Urban. Granted.

Representative Schneider asked unanimous consent for a leave of absence for today's session for Representatives Reynolds and R. Young. Granted.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session offered by joint committee on **Finance**.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session offered by joint committee on **Finance**.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session offered by joint committee on **Finance**.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session offered by Representative Johnsrud.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session offered by Representatives Kaufert and Harsdorf.

Assembly amendment 5 to Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session offered by Representatives Harsdorf and Kaufert.

Assembly amendment 2 to **Assembly Bill 5**, April 1998 Special Session offered by Representatives Ziegelbauer and Plale.

Assembly amendment 3 to **Assembly Bill 5**, April 1998 Special Session offered by Representative Jensen.

COMMITTEE REPORTS

The joint committee on **Finance** reports and recommends:

Assembly Bill 4, April 1998 Special Session

Relating to: the permit guarantee program of the department of natural resources and requiring the exercise of rule-making authority.

Assembly amendment 1 to Assembly substitute amendment 1 adoption:

Ayes: 16 – Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Cogs; Senators Weeden, Farrow, Cowles, Panzer, Schultz, Rosenzweig, Burke and Decker.

Noes: 0.

Assembly amendment 2 to Assembly substitute amendment 1 adoption:

Ayes: 16 – Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert, Linton and Coggs; Senators Weeden, Farrow, Cowles, Panzer, Schultz, Rosenzweig, Burke and Decker.

Noes: 0.

Assembly substitute amendment 1 adoption:

Ayes: 12 – Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert and Linton; Senators Weeden, Farrow, Panzer, Schultz and Rosenzweig.

Noes: 4 – Representative Coggs; Senators Cowles, Burke and Decker.

Passage as amended:

Ayes: 12 – Representatives Gard, Ourada, Harsdorf, Albers, Porter, Kaufert and Linton; Senators Weeden, Farrow, Panzer, Schultz and Rosenzweig.

Noes: 4 – Representative Coggs; Senators Cowles, Burke and Decker.

To committee on **Rules**.

JOHN GARD
Assembly Chairperson
Joint committee on Finance

The joint survey committee on **Tax Exemptions** reports and recommends:

Assembly Bill 5, April 1998 Special Session

Relating to: income tax and franchise tax credits for sales taxes paid on fuel and electricity used in manufacturing, the apportionment of income for the corporate income tax and franchise tax and requiring and permitting the promulgation of rules.

Adoption of Report:

Ayes: 5 – Representatives Foti and Vrakas; Senators Rosenzweig and Farrow; and Secretary Zeuske.

Noes: 1 – Representative Schneider.

To committee on **Rules**.

STEVEN FOTI
Assembly Chairperson
Joint survey committee on Tax Exemptions

Representative Green asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

9:48 A.M.

RECESS

11:48 A.M.

The Assembly reconvened.

Speaker Jensen in the chair.

Representative Foti asked unanimous consent for a quorum call. Granted.

A quorum was present.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 4**, April 1998 Special Session be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Bill 4, April 1998 Special Session

Relating to: the permit guarantee program of the department of natural resources and requiring the exercise of rule-making authority.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session be adopted?

Motion carried.

POINT OF ORDER

Representative Johnsrud rose to the point of order that Assembly substitute amendment 1 to **Assembly Bill 4**, April 1998 Special Session was not germane under Assembly Rule 54.

Speaker Pro Tempore Freese ruled the point of order **well taken**.

The question was: Shall **Assembly Bill 4**, April 1998 Special Session be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 4**, April 1998 Special Session be given a third reading. Granted.

The question was: **Assembly Bill 4**, April 1998 Special Session having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 4**, April 1998 Special Session be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 3**, April 1998 Special Session be withdrawn from today's calendar and taken up at this time. Granted.

Assembly Bill 3, April 1998 Special Session

Relating to: excluding agricultural transactions from provisions of the Wisconsin consumer act.

The question was: Shall Assembly amendment 1 to **Assembly Bill 3**, April 1998 Special Session be adopted?

Motion carried.

The question was: Shall **Assembly Bill 3**, April 1998 Special Session be ordered engrossed and read a third time?

Motion carried.

Representative Kunicki moved that the Assembly stand adjourned.

The question was: Shall the Assembly stand adjourned?

The roll was taken.

The result follows:

Ayes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, Ziegelbauer and Zukowski – 45.

Noes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Spillner, Stone, Sykora, Underheim, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 49.

Absent or not voting – Representatives Reynolds, Urban and R. Young – 3.

Motion failed.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 3**, April 1998 Special Session be given a third reading. Granted.

Representative Gronemus moved that **Assembly Bill 3**, April 1998 Special Session be referred to the committee on **Agriculture**.

The question was: Shall **Assembly Bill 3**, April 1998 Special Session be referred to the committee on **Agriculture**?

The roll was taken.

The result follows:

Ayes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Johnsrud, Kreuser, Krug, Krusick, Kunicki, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young and Ziegelbauer – 42.

Noes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Kaufert, Kedzie, Kelso, Klusman,

Kreibich, La Fave, Ladwig, F. Lasee, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Spillner, Steinbrink, Stone, Sykora, Underheim, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 52.

Absent or not voting – Representatives Reynolds, Urban and R. Young – 3.

Motion failed.

The question was: **Assembly Bill 3**, April 1998 Special Session, having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baumgart, Black, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Huebsch, Hutchison, Jeskewitz, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, La Fave, Ladwig, F. Lasee, J. Lehman, M. Lehman, Lorge, Meyer, Murat, Nass, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, Powers, Ryba, Schafer, Seratti, Skindrud, Spillner, Springer, Steinbrink, Stone, Sykora, Travis, Underheim, Vrakas, Walker, Ward, Wieckert, Ziegelbauer and Speaker Jensen – 65.

Noes – Representatives Baldwin, Bock, Boyle, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Gronemus, Hubler, Johnsrud, Krug, Kunicki, Linton, Morris–Tatum, Musser, Notestein, R. Potter, Riley, Robson, Schneider, Staskunas, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young and Zukowski – 29.

Absent or not voting – Representatives Reynolds, Urban and R. Young – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 3**, April 1998 Special Session be immediately messaged to the Senate. Granted.

ASSEMBLY CEREMONIES

Members of the Assembly leadership were presented with gifts for their service to the Assembly and their respective caucuses. Representatives not seeking reelection to the State Assembly were honored and presented with gifts: Representative Rosemary Potter, Representative Mark Green, Representative Tammy Baldwin, Representative Barbara Notestein, Representative John Dobyns, Representative Bill Murat, Representative Sheila Harsdorf, Representative James Baumgart, Representative Clifford Otte and Representative Robert Zukowski. Senator Mary Lazich, who resigned from the Assembly after winning a special election to the State Senate, was also honored.

Speaker Jensen in the chair.

SPECIAL GUEST

Representative Wasserman introduced Tzipora Rimon, Consul General of Israel to the Midwest, who addressed the members from the rostrum.

Speaker Pro Tempore Freese in the chair.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 5**, April 1998 Special Session be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Bill 5, April 1998 Special Session

Relating to: income tax and franchise tax credits for sales taxes paid on fuel and electricity used in manufacturing, the apportionment of income for the corporate income tax and franchise tax and requiring and permitting the promulgation of rules.

Representative Schneider asked unanimous consent for a quorum call. Granted.

A quorum was present.

ANNOUNCEMENTS

Representative Black asked unanimous consent that the Assembly adjourn in honor of Representative Baumgart, who is not seeking reelection to the Assembly; and in honor of Aldo Leopold. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Walter F. Renk of Sun Prairie, who received an Honorary Degree (Doctor of Science) from the University of Wisconsin–Madison. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the Syttende Mai Dancers from Stoughton, with Roger and Judie Nitzsche as King and Queen, during that city's celebration of Syttende Mai this weekend. Granted.

Representative Hoven asked unanimous consent that the Assembly adjourn in honor of Nancy Lee Kailas, who is celebrating her 65th birthday today. Granted.

Representative Gronemus asked unanimous consent that the Assembly adjourn in honor of Brian James Readdy, who will be celebrating his 2nd birthday on Sunday, May 17th. Granted.

Representative Otte asked unanimous consent that the Assembly adjourn in honor of Dan Young and Bonnie Deering of his office staff. Granted.

Representative Musser asked unanimous consent that the Assembly adjourn in honor of Terilyn Musser Scholze, on the occasion of her birthday. Granted.

ADJOURNMENT

Representative Foti moved that the April 1998 Special Session of the Assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:05 P.M.